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June 25, 2003

RECEIVED

JUN 25 2003

**VIA HAND DELIVERY**

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Ms. Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 Twelfth Street, SW, TW- A325  
Washington, DC 20554

**Re: 1800E1-PB  
WPXT(TV), Portland, ME (FIN-53065)  
MM Docket No. 00-133**

Dear Ms. Dortch:

By this letter, HMW, Inc. ("HMW"), the licensee of WPXT(TV), Portland, Maine hereby responds to the Commission's letter dated June 3, 2003, requesting that WPXT(TV) resolve a potential Canadian interference issue with regard to its above-referenced Petition for Rule Making seeking to substitute DTV channel 43 for WPXT-DT's presently allotted DTV Channel 4. Specifically, the Commission's letter notes that upon seeking Canadian concurrence it was discovered that WPXT-DT's proposed operations do not appear to adequately protect the co-channel DTV allotments in Yarmouth, Nova Scotia, and Quebec, QC. Accordingly, the Commission asks that HMW submit an appropriate amendment or a Longley-Rice analysis showing less than 2% interference will occur.

HMW's consulting engineers have reviewed the pending application and its potential for causing interference to any Canadian DTV allotments. As detailed in the attached engineering analysis prepared by du Triel, Lundin & Rackley, Inc., the co-channel Canadian DTV allotments in Yarmouth, Nova Scotia and Quebec, QC were explicitly considered and addressed in the pending Petition for Rule Making, as amended. Specifically, the amendment to the Rule Making submitted on August 27, 2001, contains a determination based on Longley-Rice that WPXT's DTV proposal on Channel 43 complies with the interference requirements of the Commission's Rules and the Letter of Understanding with Canada. The attached materials reiterate those findings. Accordingly, it is not believed that an amendment to the Petition is required at this time.

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Ms. Marlene H. Dortch, Secretary  
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Thank you for your attention in this matter and if there should be any questions regarding this matter, please contact the undersigned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Brendan Holland", written in a cursive style.

Brendan Holland

Enclosure

cc: Clay Pendarvis  
Pam Blumenthal  
James McLuckie

SUPPLEMENTAL SHOWING  
PREPARED IN SUPPORT OF  
THE PENDING PETITION FOR RULE MAKING TO  
MODIFY THE DTV ALLOTMENT TABLE  
DTV STATION WPXT-DT  
FACILITY ID: 123165  
PORTLAND, MAINE

Technical Narrative

This technical narrative and associated exhibits have been prepared on behalf of HMW, Inc. ("HMW") in response to the FCC's 30 day letter regarding the pending petition for rulemaking of DTV station WPXT-DT. The WPXT-DT petition proposes the substitution of DTV channel 43 for 36 at Portland, Maine. In a letter dated June 3, 2003<sup>1</sup> the Commission stated that the Canadian government completed its review of HMW's proposal and objected to the proposal because it failed to protect two Canadian DTV allotments based upon the "second step" contour overlap method. Specifically, the Commission's letter indicated that HMW's proposal does not provide protection to the co-channel DTV allotments in Yarmouth, Nova Scotia and Quebec, Quebec. It also stated that HMW had 30 days to submit an appropriate amendment either eliminating the overlap or submitting a Longley-Rice analysis showing less than 2% interference. Therefore, this technical exhibit was prepared in addition to the amendment to the WPXT-DT petition in order to provide the showings.<sup>2</sup>

US-Canadian TV Agreement Compliance

The proposed channel 43 operation will be located 158 kilometers from the closest point of the US-Canadian common

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<sup>1</sup> In RE: MM Docket No. 00-133, Station WPXT-TV, Portland, Maine, 1800EI-PB.

<sup>2</sup> As part of the DTV channel 43 petition for rulemaking, a Longley-Rice analysis was prepared with respect to Canadian station CAN3 on DTV channel 43 at Quebec and also with respect to Canadian DTV station CJCH-TV on channel 43 at Yarmouth, Nova Scotia.

border. Therefore, consideration was given to the existing US-Canadian TV Agreement (1994) and Letter of Understanding (LOU) between the FCC and Industry Canada related to DTV service along the common border (September 12, 2000). Pursuant to the existing Agreement and LOU, DTV stations will be referred if the pertinent interfering contour would fall within the territory of the other country. The pertinent interfering contour applicable towards co-channel NTSC stations is the 5.2 dBu, F(50,10) contour. The pertinent interfering contour applicable towards co-channel DTV operations is the 13.5 dBu, F(10,10) contour. It was determined that both contours do overlap Canadian land area, and therefore the petition was referred to Canada.

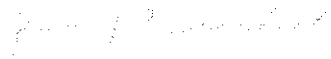
Sheet 1 of Figure 1 is a Canadian allocation study showing the proposed WPXT-DT site is short-spaced with respect to Canadian station CAN3 on DTV channel 43 at Quebec and also with respect to Canadian DTV station CJCH-TV on channel 43 at Yarmouth, Nova Scotia. However, interference studies were prepared with respect to each station based on the Longley-Rice propagation model and procedures contained in the Letter of Understanding. Based on our studies it is believed the proposed WPXT-DT operation would cause interference to 3,621 (0.4% of the CAN3 service population) persons within the CAN3 service area. With respect to CJCH-TV, the proposed WPXT-DT operation is predicted to cause interference to 596 persons (1.7% of the CJCH-TV service population) within the CJCH-TV service area (see Figure 2). Since both Canadian facilities are predicted to receive interference to less than 2% of their service populations, it is respectfully requested that the proposal be given consideration based on use of the Longley-Rice propagation model.

Figure 3 is a map showing cells of interference which station CAN3 and CJCH-TV are predicted to receive from the proposed WPXT-DT operation. It is noted that only those cells which have population associated with it are shown. Also shown

on Figure 2 are the predicted 39 dBu F(50,50) contours for each station.

Conclusion

Since the proposed WPXT-DT facility is predicted to cause less than 2% of interference to the channel 43 Canadian DTV allotments at Quebec and Nova Scotia, it is believed adequate protection is provided. Therefore, it is respectfully requested that Canada reconsider the WPXT-DT proposal.



Jerome J. Manarchuck

du Treil, Lundin & Rackley, Inc.  
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JERRY@DLR.COM

June 18, 2003

Figure 1

**Canadian Allocation Study**

Ch	Spec	Col	Class	Status	City	St	Latitude	Longitude	EA	HAAT	PCANAL	ERP	Bearing	Distance	Wd Spd	Difference	Comment
41	FM	CAA	2	ACTIVE	CANADIAN TIRE STORE	ON	45.4142	-75.6954	W	100	00	10000	00.4	100.0	00.4	117.4	117.4
42	FM	CAA	2	ACTIVE	CANADIAN TIRE STORE	ON	45.4142	-75.6954	W	100	00	75000	340.4	100.0	00.4	117.4	117.4
43	FM	CAA	2	ACTIVE	CANADIAN TIRE STORE	ON	45.4142	-75.6954	W	100	00	4000	87.3	100.0	00.4	117.4	117.4
44	FM	CAA	2	ACTIVE	CANADIAN TIRE STORE	ON	45.4142	-75.6954	W	100	00	100000	015.6	100.0	00.4	117.4	117.4

Figure 2

### Longley Rice Interference Analysis Toward Canadian DTV Allotments

Study Date: 20030618  
 Study Start: 10:13:13  
 CANADIAN INTERFERENCE CAUSED  
 CELL SIZE : 2.00

\*\*\*\*\*

CJCH-TV 43-54-56 066-05-18 43(0) 4.000 kw 171.2 m 90.0 % 39.0 dBu  
 YARMOUTH NS  
 CANTAB CLASS B  
 Calculated RCAMSL with HAAT of 150  
 %loc = 90.00 %time = 90.00

	Area	Pop
within Noise Limited Contour	6306.969	34288
not affected by terrain losses	6226.625	33395

\*\*\*\*\*

WPXT 43-51-06 070-19-40 43(N) 750.000 kw 342 m 10.0 % 39.0 dBu  
 PORTLAND ME  
 APP BPRM20000413AAB CLASS VU

D/U Baseline: 19.50  
 %loc = 10.00%time = 10

	Area	Pop
Interference	413.77	596 ( 1.7)

\*\*\*\*\*

CAN3 46-49-00 071-13-00 43(0) 75.000 kw 377.2 m 90.0 % 39.0 dBu  
 QUEBEC(33) QU  
 CANTAB CLASS C  
 Calculated RCAMSL with HAAT of 300  
 %loc = 90.00 %time = 90.00

	Area	Pop
within Noise Limited Contour	15452.48	848828
not affected by terrain losses	9933.738	813987

\*\*\*\*\*

WPXT 43-51-06 070-19-40 43(N) 750.000 kw 342 m 10.0 % 39.0 dBu  
 PORTLAND ME  
 APP BPRM20000413AAB CLASS VU

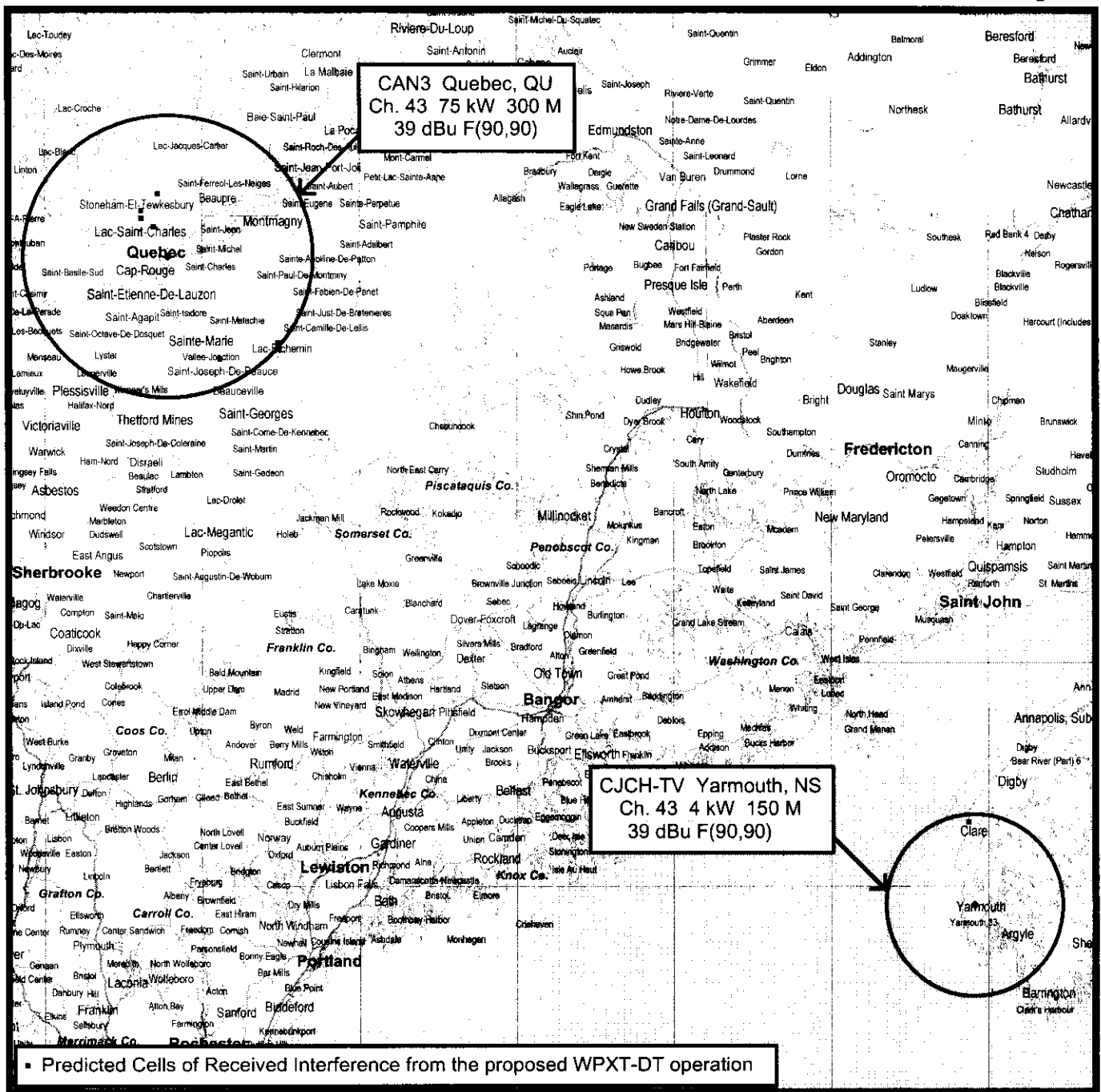
D/U Baseline: 19.50  
 %loc = 10.00%time = 10

	Area	Pop
Interference	487.42	3621 (0.4)

Study end time: 10:14:32

Facility	Channel	Type	Baseline	Permissible	IX	%Base
CJCH-TV, YARMOUTH, NS	43	DTV	34288	2.0	596	1.70
CAN3, QUEBEC(33), QU	43	DTV	848828	2.0	3621	0.40

Figure 3



50 0 50 100 150  
Kilometers

## PREDICTED POINTS OF INTERFERENCE

STATION WPXT-DT  
PORTLAND, MAINE  
CH 43 750 KW 265 M

du Treil, Lundin & Rackley, Inc. Sarasota, Florida